

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEANNETTE FULLER HAUSLER as Successor
Personal Representative of the Estate of
ROBERT OTIS FULLER ("BOBBY
FULLER"), Deceased, on behalf of THOMAS
CASKEY as Personal Representative of the
Estate of LYNITA FULLER CASKEY,
surviving daughter of ROBERT OTIS FULLER,
THE ESTATE OF ROBERT OTIS FULLER,
FREDERICK FULLER, FRANCIS FULLER,
GRACE LUTES, JEANNETTE FULLER
HAUSLER and IRENE MOSS,

Petitioner,

-against-

JPMORGAN CHASE BANK, N.A.,
CITIBANK, N.A., UBS AG, THE ROYAL
BANK OF SCOTLAND N.V. (FORMERLY
KNOWN AS ABN AMRO BANK N.V.), and
BANK OF AMERICA, NATIONAL
ASSOCIATION,

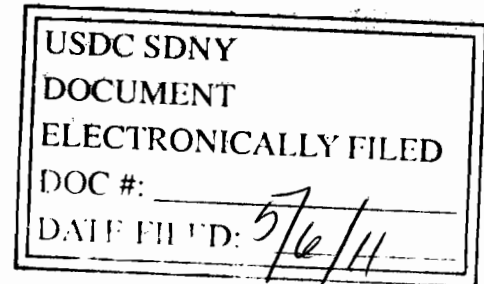
Garnishee-Respondents.

JPMORGAN CHASE BANK, N.A.,
CITIBANK, N.A., UBS AG, THE ROYAL
BANK OF SCOTLAND N.V. (FORMERLY
KNOWN AS ABN AMRO BANK N.V.), and
BANK OF AMERICA, NATIONAL
ASSOCIATION,

Garnishee-Respondents
and Third-Party
Petitioners,

-against-

BANCO FINANCIERO INTERNACIONAL
S.A., BANCO INTERNACIONAL DE
COMERCIO, S.A., BANCO NACIONAL DE
CUBA, BANCO POPULAR DE AHORRO,
ABBOTT LABORATORIES, INC., as successor
to Quimica Knoll de Mexico, S.A. de C.V.,



09 Civ. 10289 (VM)

Related to JPM Chase/Citibank
Turnover Proceeding

In Respect of a Judgment
Entered in the State of Florida,
Case No. 02-12475-CA-09

**APPLICATION FOR THE RELEASE
OF THE BLOCKED AMOUNT**

AEROFLOT LINEAS AEREAS SOVIETICAS, :
 ALBET INGENIERA Y SISTEMAS, BANCO :
 BILBAO VIZCAYA ARGENTINA, S.A., :
 BANCO BILBAO VIZCAYA ARGENTINA :
 PANAMA, S.A., as successor to Banco Exterior :
 Panama, S.A., BANCO DE CREDITO DEL :
 PERU, as successor to Financiera Nacional S.A., :
 BANCO DE ESPANA, BANCO ESPANOL DE :
 CREDITO, BANCO MONEX S.A., BANCO :
 NACIONAL DE MEXICO, S.A., BANCO :
 PAULISTA S.A., BNP PARIBAS, BNP :
 PARIBAS ESPANA, S.A., BANCO :
 SANTANDER S.A., BANCO SANTANDER :
 TOTTA, S.A., as successor to Banco Totta & :
 Acores S.A., CAJA DE AHORROS Y MONTE :
 DE PIEDAD DE MADRID, CASA DE :
 CAMBIO MONEX, S.A., CREDIT SUISSE :
 GROUP AG, as successor to Swiss American :
 Securities, DRESDNER LATEINAMERIKA :
 A.G., as successor to Dresdner Bank :
 Lateinamerika A.G., ESTUDIOS MERCADOS :
 Y SUMINISTROS S.L., GREEN DOWA :
 HOLLAND BV, HSBC TRINKAUS & :
 BURKHARDT AG, ING BANK N.V., :
 INSTITUTO DE CARDIOLOGIA Y CIRUGIA :
 CARDIOVASCULAR CUBA, :
 INTERNATIONAL HANDLERS, INC., JSC :
 ZARUBEZHSTVETMET, LTU :
 LUFTRANSPORT-UNTERNEHMEN GMBH, :
 NOVAFIN FINANCIERE S.A., PETROLEOS :
 DE VENEZUELA S.A., PHILIPS MEXICANA :
 S.A. DE C.V., PREMUDA S.P.A., SANPAOLO :
 BANK S.A., SELECMAR SHIP :
 MANAGEMENT, TUI UK LTD., as successor :
 to Britannia Airways Ltd., TRYG :
 FORSIKRING, as successor to Baltica Bank and :
 Baltica Forsikring, UNION BANCAIRE :
 PRIVEE, VITOL ENERGY (BERMUDA) LTD :
 and JEANNETTE FULLER HAUSLER as :
 Successor Personal Representative of the Estate :
 of ROBERT OTIS FULLER ("BOBBY :
 FULLER"), Deceased, on behalf of THOMAS :
 CASKEY as Personal Representative of the :
 Estate of LYNITA FULLER CASKEY, :
 surviving daughter of ROBERT OTIS FULLER, :
 THE ESTATE OF ROBERT OTIS FULLER, :
 FREDERICK FULLER, FRANCIS FULLER, :

GRACE LUTES, JEANNETTE FULLER
HAUSLER, and IRENE MOSS,

Adverse Claimants-
Respondents.

We hereby inform you that RBS (earlier known as ABN AMRO Bank) have blocked the payment made by JOINT STOCK COMPANY «FOREIGN ECONOMIC ASSOCIATION «ZARUBEZHSTSVETMET» under the relevant laws of USA (Cuban Assets Control Regulations, 31 C.F.R part 515 («CACR»).

The blocked payment details are the following:

1. Amount - 27 000,00 USD;
2. Date of payment - 31/10/2007;
3. Payer - OJSC «Foreign Economic Association «Zarubezhstsvetmet», 12 Sredniy Ovchinnikovskiy pereulok, Moscow, Russian Federation (trading company of the Russian Federation);
4. Beneficiary - branch office of OJSC «Foreign Economic Association «Zarubezhstsvetmet» in Cuba, Centro de Negocios Miramar, Edificio Santiago de Cuba, Oficina 226 5ta Ave el 76 y 78 Miramar, City of Havana, Republic of Cuba (branch office of the Russian trading company);
5. Payer bank - ABN AMRO New York;
6. Beneficiary bank - Banco Financiero Internacional, S.A.;
7. Payment reference - branch office supplies;


The details above state clear that both the payer and the beneficiary were Russian legal entities, which means that the OFAC blocking programme could not have been applied, since Cuba holds no proprietary rights in relation to the relevant payment.

JOINT STOCK COMPANY «FOREIGN ECONOMIC ASSOCIATION «ZARUBEZHSTSVETMET» is not an agent or a mediator of Cuba and considers third parties claims in respect of the blocked payment unacceptable, since it contradicts with the principles of International Law.

On the basis of the aforesaid and in accordance with article 4A and point «J» of the Unified Commercial Code of State of New-York JOINT STOCK COMPANY «FOREIGN ECONOMIC ASSOCIATION «ZARUBEZHSTSVETMET» declares its proprietary right to the amount of 27 000,00 USD blocked by RBS (earlier known as ABN AMRO Bank) and applies for:

- the release of the blocked amount;
- the return of the blocked amount to the payer;

Yours Faithfully,

✓ 
Elena Pavlyuchenko
OJSC «FEA «ZARUBEZHSTSVETMET»
General Director

28/04/2011

SO ORDERED. There is no indication in this submission that the parties to this action have been served with the petition herein. Petition is directed to serve in accordance with the applicable rules.
DATE 5-6-11 VICTOR MARRERO, U.S.D.J.

Открытое Акционерное Общество "Внешнеэкономическое Объединение
"Зарубежцветмет" (ОАО "ВО Зарубежцветмет")

(Open Joint Stock Company Foreign Economic Association "Zarubezhsvetmet")

Адрес: 115184, г. Москва, Средний Овчинниковский переулок, д.12

(Address: 12, Sredniy Ovchinnikovskiy pereulok, Moscow, 115184, Russia)

Тел(Tel.): 950-47-00, факс(fax): 950-47-47

e-mail : info@ztsm.ru

ИНН (Individual tax number) 7704065208

Bank: JSCB "Metallinvestbank", Moscow, Russia, SWIFT: SCBMRUMM

Slavyanskaya sq. 2/5/4, building 3, MOSCOW, 109074, RUSSIA

BIC 044525176

Account: 40702810100000000919 RUB

Account: 40702978500000061063 EUR

Corr. Account: 000-55.042.253 EUR

with Raiffeisen Zentralbank Oesterreich AG, Vienna,

SWIFT: RZBAATWW

Account: 40702840900000061063 USD

Corr.Acc. : 3615-1863

Citibank N.A., New York, USA

Swift: CITIUS33